

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2649 of 2017

Arising Out of PS.Case No. -65 Year- 2016 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

- =====
1. Asha Devi wife of Girish Narayan Pandey
 2. Girish Narayan Pandey son of Late Ram Pujan Pandey
 3. Pradip Pandey son of Girish Narayan Pandey
 4. Nilu Devi wife of Pradip Pandey. All resident of Village- Manoharpur, P.S. Rajpur, District- Buxar.
 5. Guriya Devi wife of Rishi Kant Chaubey
 6. Rishi Kant Chaubey son of Late Himkar Chaubey. Both resident of Village- Paharpur, P.S. Nandganj, District- Ghazipur (Uttar Pradesh)
- Petitioner/s

Versus

1. The State of Bihar
2. Nishma Devi daughter of Birendra Pandey, resident of Village- Milki P.S. Natwar, District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-02-2017 Heard the learned counsel for the petitioners, the learned A.P.P. for the State as also the learned counsel for the Informant.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Mahila P.S. Rohtas Case No. 65 of 2016/ G.R. No. 2265 of 2016 for the offences punishable under sections 498 A, 406, 323, 341, 504 and 34 of the I.P.C and section 34 of the Dowry Prohibition Act.

Nishma Devi, the informant, was married to Manoj Kumar Pandey on 10.07.2016 and from that time Swift Desire Car



was being demanded and due to non fulfillment the informant was being tortured and assaulted and ultimately after snatching all her ornaments and cloths ousted her on 17.09.2016 from the house.

Submission is of false implication and that the entire family members have been made accused, FIR has been lodged after much delay, the FIR is a typed copy, after taking consultation with the legal practitioner the same has been prepared, there is no fault of the petitioners, petitioner no. 1 is mother-in-law, petitioner no.2 is father-in-law, petitioner no.3 is Bhaisur, petitioner no.4 is Gotni, petitioner no.5 is married Nanad and petitioner no.6 is Bahnoi (brother-in-law) of the informant and they have no concern with the family affairs of the informant and her husband, they are living separately and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioners by submitting that against petitioner no.6 there is specific allegation for demanding Swift Desire Car and all the petitioners have tortured her.

In the facts and circumstances as stated above, considering the position of the petitioners and further that during investigation general and omnibus allegation has been leveled and



as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. Smt. Richa Bhargav, Judicial Magistrate, Sasaram in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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